

Notice of Allowability

Application No.

10/717,678

Applicant(s)

HAYO ET AL.

Examiner

Art Unit

Demetrius R. Pretlow

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed September 13, 2005.
2. ☒ The allowed claim(s) is/are 1,3-14 and 16-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

Claims 1,3-14,16-24 are allowed.

The primary reason for the allowance of claims 1,3-7,14,16-20 is the inclusion of the method steps of assigning first filtering properties to the second filter; and assigning second filtering properties to the first filter. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 8-13 is the inclusion of the limitations of an one or more monitor points, one or more nonvolatile storage devices accessible by the processors and a filter handling tool for dynamically managing the plurality of filters, the filter handling tool including software code effective to: receive first event data from one of the monitor points corresponding to a first filter from the plurality of filters, the first filter including first filtering properties; receive second event data from one of the monitor points corresponding to a second filter from the plurality of filters, the second filter including second filtering properties; determine whether to change filtering properties of at least one of the plurality of filters using the first event data and the second event data; and change the filtering properties of at least one of the plurality of filters response to the determination. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 21 is the inclusion of the method steps of assigning first filtering properties to the second filter; and assigning second filtering properties to the first filter. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 22 is the inclusion of the method steps of retrieving historical trend data, wherein the historical trend data is based upon a timeline, and wherein the timeline is selected from a group consisting of a time of day, a time of month, and a time of year; pre-configuring a first filter and a second filter corresponding to the historical trend data. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 23 is the inclusion of the limitations of one or more monitor points, one or more nonvolatile storage devices accessible by the processors and a filter handling tool for dynamically managing the plurality of filters, the filter handling tool including software code effective to: receive first event data from one of the monitor points corresponding to a first filter from the plurality of filters, the first filter including first filtering properties; receive second event data from one of the monitor points corresponding to a second filter from the plurality of filters, the second filter including second filtering properties; determine whether to change filtering

Art Unit: 2863

properties of at least one of the plurality of filters using the first event data and the second event data; and change the filtering properties of at least one of the plurality of filters response to the determination; assign first filtering properties to the second filter; and assign second filtering properties to the first filter. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 24 is the inclusion of the method steps of change the filtering properties of at least one of the plurality of filters in response to the determination, wherein the software code is further effective to: assign first filtering properties to the second filter; and assign second filtering properties to the first filter. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (571) 272-2278. The examiner can normally be reached on Mon.-Fri. 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2863

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow

Demetrius Pretlow 11/15/05

Patent Examiner

John D. Bailey
John D. Bailey
Supervisory Patent Examiner
Technology Center 2800